

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

TONY TRAN,)
)
 Petitioner,)
 vs.) NO. CIV-09-311-D
)
 PAUL A. KASTNER, Warden)
)
 Respondent.)

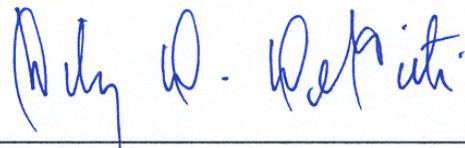
ORDER

Petitioner, a federal prisoner appearing *pro se*, brought this action seeking habeas corpus relief pursuant to 28 U. S. C. § 2241. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Doyle W. Argo for initial proceedings.

On June 11, 2009 Judge Argo filed a Report and Recommendation [Doc. No. 9] in which he recommended that the Petition be denied upon filing. In the Report and Recommendation, Judge Argo advised Petitioner of his right to object to the findings and conclusions set forth therein and scheduled a July 1, 2009 deadline for filing such objections. He further expressly cautioned Petitioner that a failure to timely file objections would result in a waiver of the right to appellate review of the matters determined in the Report and Recommendation.

The deadline for filing objections has expired, and Petitioner has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Therefore, the Report and Recommendation [Doc. No. 9] is adopted as though fully set forth herein. For the reasons set forth in the Report and Recommendation, the Petition is denied upon filing.

IT IS SO ORDERED this 13th day of July, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE